

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

TERRELL M. CLARK,

Plaintiff,

v.

WARDEN LINDA GETER, ET AL.,

Defendants.

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CIVIL ACTION NO. 5:20-CV-00009-RWS

ORDER

The Plaintiff Terrell Clark, proceeding *pro se*, filed this civil rights lawsuit under 42 U.S.C. § 1983. This Court ordered that the case be referred to the United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1) and (3) and the Amended Order for the Adoption of Local Rules for the Assignment of Duties to United States Magistrate Judges.

Plaintiff filed a “motion to release defendants from liabilities,” asking for the dismissal of all Defendants in the lawsuit except for Chaplain Collier and Chaplain Pete. The Magistrate Judge issued a Report recommending the motion be granted and all defendants other than those two be dismissed. Plaintiff received a copy of this Report on August 26, 2020, but no objections have been received; accordingly, Plaintiff is barred from *de novo* review by the District Judge of those findings, conclusions, and recommendations and, except upon grounds of plain error, from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District Court. *Duarte v. City of Lewisville*, 858 F.3d 348, 352 (5th Cir. 2017).

The Court has reviewed the pleadings in this cause and the Report of the Magistrate Judge. Upon such review, the Court has determined that the Report of the Magistrate Judge is correct.

See United States v. Wilson, 864 F.2d 1219, 1221 (5th Cir.), *cert. denied*, 492 U.S. 918, 109 S.Ct. 3243 (1989) (where no objections to a Magistrate Judge's Report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law."). It is accordingly

ORDERED that the Report of the Magistrate Judge (Docket No. 5) is **ADOPTED** as the opinion of the District Court. It is further

ORDERED that the Plaintiff's motion to dismiss all Defendants except for Chaplain Collier and Chaplain Pete (Docket No. 2) is **GRANTED** and the claims against all Defendants except for Chaplain Collier and Chaplain Pete are **DISMISSED WITHOUT PREJUDICE**. These other defendants are dismissed as parties to this lawsuit. The Clerk shall restyle this lawsuit as *Terrell Clark v. Chaplain Collier, et al.*, under the same civil action number. The dismissal of these claims and parties shall not affect the remaining claims or parties in the case.

So ORDERED and SIGNED this 28th day of September, 2020.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE